

Message Text

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ACTION AF-18

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

RSR-01 /084 W

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R 280830 Z JUN 73

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC 5414

C O N F I D E N T I A L TANANARIVE 0862

E. O. 11652: GDS

TAGS: CASC, MA, US

SUBJ: REPPAS

REFS: A) STATE 123584; B) TANANARIVE 0847; C) TANANARIVE 1560

DECEMBER 22, 1972

1. REPPAS' LAWYER RAVONY CONFIRMED TO DCM JUNE 27 OPINION REPORTED REF C THAT PLEADING GUILTY UNDER GOMR LEGAL SYSTEM (BASED ON FRENCH) WOULD NOT RPT NOT RESULT IN REDUCED SENTENCE. IN REPPAS CASE, HE PREDICTED SUCH ACTION WOULD ALMOST AUTOMATICALLY RESULT IN SENTENCE OF AT LEAST TEN YEARS HARD LABOR, PERHAPS MORE. PLEADING GUILTY, HE EXPLAINED, MEANS THAT DEFENDANT IS GIVING UP ENTIRELY AND IS WILLING ACCEPT FULL POSSIBLE SENTENCE.

2. RAVONY THEN URGED EMBASSY NOT RPT NOT TO INTERVENE IN CLIENT'S BEHALF WITH GOMR TO BRING CASE TO TRIAL AS HE UNDERSTOOD FROM REPPAS EMBASSY PREPARED TO DO. RAVONY IS CONVINCED THAT SPEEDY TRIAL WOULD RESULT IN CONDEMNATION REPPAS WITH SENTENCE OF AT LEAST TEN YEARS, PERHAPS FIFTEEN, OF HARD LABOR. IF THAT HAPPENS, ONLY REASONABLE AVENUE OPEN WOULD BE TO SEEK PARDON FROM CHIEF OF GOVT, BUT EXPERIENCE SHOWS THAT PROCESS NORMALLY REQUIRES AT LEAST FIVE YEARS IN MADAGASCAR.

3. RAVONY BELIEVES BEST TACK IS FOR HIM TO CONTINUE TO ATTEMPT
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NEGOTIATE PROVISIONAL LIBERTY. HE REASONABLY SURE THAT PROVISIONAL LIBERTY WOULD BE GRANTED IMMEDIATELY AGAINST " GUARANTEE" OF 200 MILLION FMG. RAVONY REALIZES THAT SUCH SUM OUT OF QUESTION BUT HOPES EVENTUALLY TO GET IT FSWN TO SOMETHING LIKE 20 MILLION FMG. HE BELIEVES THAT REPPAS WOULD, AFTER PAYMENT NEGOTIATED GUARANTEE, BE ALLOWED TO LEAVE MADAGASCAR FOR EXPRESS PURPOSE OF RAISING MONEY TO REIMBURSE GOMR LOSS, E. G., BY GETTING FINANCIERS TO INVEST ENOUGH TO GET AGM BACK INTO BUSINESS.

4. RAVONY WAS SURPRISED TO HEAR OF PRESS COVERAGE IN SF CHRONICLE. ASKED FOR COPIES OF NEWSPAPER ARTICLES WHICH HE BELIEVES WOULD BE USEFUL IN NEGOTIATING PROVISIONAL LIBERTY WITH " CHAMBRE D' ACCUSATION". EMBASSY PROMISED SUPPLY XEROX OF GRIEG ARTICLE IN JUNE 20 SF CHRONICLE WHICH IT HAD RECEIVED. DEPT MAY WISH SUGGEST TO JEFFRIES THAT HE SEND ORIGINAL PLUS COPIES ANY OTHER RECENT ARTICLES. EMBASSY WILLING DELIVER TO RAVONY.

5. AMB HAS REQUESTED APPOINTMENT WITH FONMIN. IN VIEW RAVONY VIEWS PARA 2 ABOVE, EMBASSY NOW BELIEVES IT BEST, AT LEAST AT PRESENT TIME, NOT RPT NOT TO PRESS FOR RESUMPTION OF HEARINGS, THUS ALTERING POSITION WE EXPRESSED IN REF B. WE PROPOSE DRAW FONMIN' S ATTENTION TO DEVELOPMENTS REFERRED TO REF A AND USE DEPT' S FORMULA ABOUT MAKING GESTURE TO DEFUSE ISSUE BEFORE HIS VISIT.

6. DURING VISIT NEXT WEEK, CONSOFF WILL INFORM REPPAS THAT, IN VIEW RAVONY' S POSITION, EMBASSY DOES NOT RPT NOT NOW PROPOSE TO URGE GOMR TO RESUME HEARINGS UNLESS HE STRONGLY WISHES US TO DO SO.

MENDENHALL

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